

Remarks

Upon entry of the foregoing amendment, claims 1-94 are pending in the application, with claims 1, 29, 57, 85, and 89 being the independent claims. Independent claims 1, 85, and 89 are amended herein. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Interview Summary

Applicants thank Examiner Airapetian for the courtesies extended to Applicants' representatives, John T. Haran and Donald R. Banowit, during the telephonic interview of July 23, 2009. The Examiner agreed that the amendments made to claims 1, 85, and 89 herein would overcome the rejection under 35 U.S.C. § 101. The Examiner also agreed that claim 89 did not need to be further amended to include the language noted in the "Allowable Subject Matter" section of the Office Action mailed July 9, 2009 because step h) of claim 89 recites "generating an optimized auction commodity distribution plan."

Information Disclosure Statement

As noted in Applicants' Amendment and Reply filed July 7, 2008 at p. 34 and Applicants' Amendment and Reply filed on May 4, 2009 at p. 42, Applicants request that the Examiner acknowledge that the declaration of Jie Cheng and the associated Exhibits A-F, which were submitted as part of the Information Disclosure Statement filed

February 16, 2005 have been considered by stating such in response to this Amendment and Reply.

Rejection under 35 U.S.C. § 101

Claims 1, 85, and 89 are rejected under 35 U.S.C. § 101 as allegedly including two statutory classes of invention. Applicants respectfully traverse this rejection in light of the amendments made herein to claims 1, 85, and 89. Specifically, claims 1 and 85 are amended herein to recite the method steps of "generating, with a processor" and "generating, with said processor." Similarly, claim 89 is amended herein to recite the method steps of "analyzing, with a processor," and "determining, with said processor." As noted above, the Examiner indicated in the telephonic interview of July 23, 2009 that these amendments to claims 1, 85, and 89 would overcome this rejection. Accordingly, Applicants respectfully request the rejection of the claims be withdrawn and the claims allowed.

Conclusion

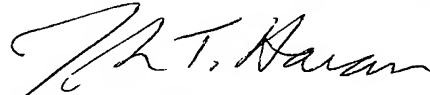
All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will

expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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